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In re Application of:  
Hauer et al.  
Serial No.: 10/031,241  
Filed: January 17, 2002  
Attorney Docket No.: 50531

:  
: DECISION ON RENEWED PETITION TO  
: WITHDRAW THE HOLDING  
: OF ABANDONMENT  
:

This is in response to applicants' renewed petition under 37 CFR § 1.181(a) filed on August 19, 2005, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed June 3, 2004.

A review of the file history shows that the examiner mailed a final Office action to applicants on June 3, 2004, setting a three-month statutory time period for reply. On July 1, 2005, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a Notice of Appeal was filed on October 25, 2004 and a Brief on Appeal was filed on January 25, 2005, as evidenced by the corresponding return receipt stamped postcards identifying the papers filed.

In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. This application will be forwarded to the examiner for consideration of the Response of January 25, 2005.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or facsimile at 703-872-9306.

Bruce Kisliuk  
Director, Technology Center 1600